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**Examiner:** Bennett M. Celsa **Group:** 1639

**Date:** September 16, 2004

**Client Code:** 1818.1010-008

**Facsimile No.:** 703-872-9306

**From:** Carol A. Egner

**Subject: Paper:** Amendment After Final Rejection Under 37 C.F.R. § 1.116

**Docket No.:** 1818.1010-008

**Applicants:** Jonathan S. Stamler and Andrew J. Gow

**Serial No.:** 08/796,164

**Filing Date:** February 6, 1997

Number of pages including this cover sheet: 7

Please confirm receipt of facsimile: Yes X No     

**Comments:**

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SEP 16 2004

DOCKET NO. 1818.1010-008  
Expedited Procedure under 37 C.F.R. 1.116  
Examining Group 1639

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jonathan S. Stamler and Andrew J. Gow

Application No.: 08/796,164 Group: 1639

Filed: February 6, 1997 Examiner: Bennett M. Celsa

Confirmation No.: 8622

For: MODIFIED HEMOGLOBINS, INCLUDING NITROSYLHEMOGLOBINS,  
AND USES THEREFOR

CERTIFICATE OF MAILING OR TRANSMISSION	
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Sept. 16, 2004	Elaine Leahy
Date	Signature
Elaine Leahy	
Typed or printed name of person signing certificate	

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment After Final for filing in the above-identified application.

[X] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

[ ] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1)	(COL. 2)	(COL. 3)	(COL. 4)	(COL. 5)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	6	MINUS	* 62	
INDEP	6	MINUS	** 45	
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
RATE	ADDIT. FEE
X \$9	\$
X \$43	\$
+ \$145	\$

OTHER THAN SMALL ENTITY	
RATE	ADDIT. FEE
X \$18	\$
X \$86	\$
+ \$290	\$

TOTAL = \$ 0TOTAL = \$ 0\* not fewer than 20  
\*\* not fewer than 3

08/796,164

-2-

Please charge Deposit Account No. 08-0380 for the following fees:

<input type="checkbox"/>	Petition for [ ] month Extension of Time	\$	_____
<input type="checkbox"/>	Amendment Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
		\$	_____
		\$	_____
		TOTAL:	\$ 0

A check is enclosed in payment of the following fees:

<input type="checkbox"/>	Petition for [ ] month Extension of Time	\$	_____
<input type="checkbox"/>	Amendment Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
		\$	_____
		\$	_____
		TOTAL:	\$ 0

[X] A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application.

Respectfully submitted,

HAMILTON, BROOK, SMITH &amp; REYNOLDS, P.C.

By Carol A. Egner  
Carol A. Egner.  
Registration No.: 38,866  
Telephone (978) 341-0036  
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Concord, Massachusetts 01742-9133

Dated: September 16, 2004

Sep-16-04 04:27pm From:HBS&R  
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T-442 P.04/07 F-137

PATENT APPLICATION  
Attorney's Docket No.: 1818.1010-008  
Expedited Procedure under 37 C.F.R. § 1.116  
Examining Group 1639

SEP 16 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jonathan S. Stamler and Andrew J. Gow  
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<u>Sept. 16, 2004</u>	<u>Elaine Lecher</u>
Date	Signature
<u>Elaine Lecher</u>	
Typed or printed name of person signing certificate	

AMENDMENT AFTER FINAL REJECTION UNDER 37 C.F.R. § 1.116

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Amendment After Final Rejection is being filed in response to the Final Office Action mailed from the U.S. Patent and Trademark Office on July 8, 2004 in the above-identified application.

Please amend the application as follows: